

Filed for intro on 02/02/95
House Bill _____
By _____

Senate No. SB1397
By Gilbert

AN ACT to amend Tennessee Code Annotated, Title 65, Chapter 15, relative to public service commission regulation of intrastate trucking.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 65-15-102, is amended by adding the following language as a new, appropriately designated subdivision:

() "Freight motor carrier" means all motor vehicles transporting property or freight for-hire as either a common carrier or pursuant to contract as a contract hauler, other than as a transporter of household goods;

SECTION 2. Tennessee Code Annotated, Section 65-15-106 is amended as follows:

(1) subsection (a) is amended by inserting the language " , except to the extent such authority has been preempted pursuant to 49 U.S.C. 11501 relative to freight motor carriers" before the punctuation mark at the end of subdivisions (1) and (5).

(2) subsection (a), is amended by inserting the language "to the extent such authority has not been preempted pursuant to 49 U.S.C. 11501" at the end of subdivision (2) before the punctuation mark.

(3) subsection (a) is further amended by adding the following language as a new, appropriately designated subdivision:

() Require certification of freight motor carriers for proof of insurance and safety inspections in accordance with authority granted pursuant to 49 U.S.C 11501;

(4) subsection (d) is amended by deleting subdivisions (1) and (3) in their entirety.

SECTION 3. Tennessee Code Annotated, Title 65, Chapter 15, Part 1, is amended by adding the following language as a new, appropriately designated section:

Section _____. Nothing in this chapter shall be construed to restrict the safety regulatory authority of the public service commission with respect to freight motor carriers, or the authority of the public service commission to regulate freight motor carriers with regard to minimum amounts of financial responsibility relating to insurance requirements and self-insurance authorization.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

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